

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

AZIZ SADIQ,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

Civil Case No. 22-cv-2906-JPG
Criminal Case No. 21-cr-40012-JPG

MEMORANDUM AND ORDER

This matter comes before the Court on petitioner Aziz Sadiq's response (Doc. 11) to the Court's May 25, 2023, order to show cause (Doc. 6) why the claims in Sadiq's supplement (Doc. 5) to his motion to vacate, set aside or correct his sentence pursuant to 28 U.S.C. § 2255 (Doc. 1)—Grounds 2 and 3—should not be dismissed as untimely.

In its order to show cause, the Court noted that there is a one-year statute of limitations for § 2255 motions which starts running at the latest of four events. For Sadiq, the statute of limitations appeared to be triggered for Counts 2 and 3 by the date on which his judgment of conviction became final—November 16, 2021. *See* 28 U.S.C. § 2255(f)(1). Consequently, the one-year period to file his § 2255 motion expired on November 16, 2022, and Sadiq's April 30, 2023, supplement was too late.

In his response, Sadiq agrees that the Court's reasoning is valid and encourages the Court to proceed with a decision on Ground 1.

For the reasons stated in the Court's May 25, 2023, order to show cause (Doc. 6), and in the absence of any objection by Sadiq, the Court rejects Grounds 2 and 3 as untimely. The Court will proceed to decide Ground 1 by separate order.

IT IS SO ORDERED.

DATED: October 16, 2023

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE